

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Karen Thomas, Case Manager  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** March 8, 2016  
**SUBJECT:** BZA Case 19173, 1264 Holbrook Terrace, N.E.

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following:

- Special Exception relief pursuant to § 336 - Conversions (900 sf/unit per lot area (max.): 3 units proposed).

This represents a considerable and late change to the original proposal to permit additions for the conversion of a rowhouse to 8 units in a multi-family format.

**II. LOCATION AND SITE DESCRIPTION**

Address	1264 Holbrook Terrace, N.E.
Legal Description	Square 4050, Lot 0840
Ward	5, ANC 5D02
Lot Characteristics	The lot is an irregularly shaped, lot abutting a 20 ft.-wide rear alley. The lot of variable width has a slight grade from the front to the rear.
Zoning	R-4 – detached and semi detached single-family dwellings.
Existing Development	Currently developed with an abandoned two story row dwelling
Adjacent Properties	The adjacent property is a single-family semi-detached dwelling.
Surrounding Neighborhood Character	The neighborhood is a mix of modest two-story row homes and small apartment buildings.

**III. BACKGROUND and APPLICATION-IN-BRIEF**

The applicant previously submitted plans depicting conversion of the existing single-family dwelling on the large 7,505 square feet lot into an eight-unit apartment structure, consistent with the unit per lot area requirement under Section 401. However after discussions with OP and the community the applicant revised the plans to adjust the design characteristic to a row house format rather than an apartment format.

The applicant has now submitted revised plans and now proposes to convert the existing single-family residential structure on a newly created lot of 2,700 square feet, identified as Lot C, to a 3-unit residential building, with rear surface parking with 2 spaces. The renovation and conversion would consist of a single story addition above the existing two-stories and a rear three-story



**IV. ZONING REQUIREMENTS and RELIEF REQUESTED**

<b>R-4 Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Height § 400	35 ft. max.	28 ft. 2 stories	32 ft. 3 stories	None required
Lot Width § 401	18 ft. min.		18 .71ft.	None required
Lot Area § 401, § 336	1,800 SF min. (900 sf per unit)	7,505 SF	2,700 SF. (3 units)	None required <b>Special Exception</b>
Floor Area Ratio § 402	None prescribed	-	-	None required
Lot Occupancy § 403	60 % max.	18.94 %	60%	None required
Rear Yard § 404	20 ft. min.	60 ft.	37.10	None required
Side Yard § 405	None required but if provided 8 feet min.	23.6 feet.	0 ft.	None required
Court § 406	4 in. per foot of height of court, but not less than 10 ft.	None	None	None required
Parking § 2101.1	1 per 2 units	One	2 spaces	None required

**V. OFFICE OF PLANNING ANALYSIS**

**a. Special Exception Relief pursuant to § 336 Conversion of a residential building in the R-4 District (Pre-1958)**

*336.1 Conversion of an existing residential building existing prior to May 12, 1958, to an apartment house shall be permitted as a special exception in the R-4 District if approved by the Board of Zoning Adjustment under § 3104, subject to §§ 336.2 through 336.11.*

The applicant requested special exception relief to convert the existing single-family dwelling into a 3-unit building, with a subdivision of the existing lot, which creates three lots.

*336.2 The maximum height of the residential building and any additions thereto shall not exceed thirty-five feet (35 ft.), except that the Board of Zoning Adjustment may grant a special exception from this limit under § 3104, subject to §§ 336.3 through 336.11.*

The existing height of the building is 23 feet 9 inches, and the height would be increased to 32 feet in conformance with this provision.

*336.3 The fourth (4th) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Chapter 26, Inclusionary Zoning, including the set aside requirement set forth at § 2603.9.*

The renovated structure would have three units. Therefore the IZ requirements would not apply.

*336.4 There must be an existing residential building on the property at the time of filing an application for a building permit.*

The property is currently developed with a two-story, brick semi-detached single-family structure.

*336.5 There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per dwelling unit.*

The revised proposed land area for the new lot would be 2,700 square feet, which would satisfy this provision for three units.

*336.6 Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code.*

No chimney or other external vent on the adjacent property would be impeded by the current proposal.

*336.7 Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator. No solar system on adjacent property*

The adjacent property does not show an existing solar energy system.

*336.8 A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size.*

No dormers or turrets exist on the residential building. The roof is a flat roof, as shown in the applicant's photos. However, OP requested the applicant revise the originally submitted plans to better reflect the neighborhood's character, including entries from the front of the lot, rather than the side entry as originally proposed. The applicant included a third floor and rear addition, and would retain the porch feature as requested by OP and the community.

*336.9 Any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

OP initially expressed concern regarding the potential impact of windows along the south facing façade of the initial proposed addition. However, the applicant has substantially revised the proposal to reflect a row character rather than an apartment building.

*The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

OP does not anticipate that the privacy of the neighboring properties to either abutting properties would be compromised. The plans indicate that the rear façade of the addition would not extend well beyond the rear facade of the home at Lot 52 to the north, which also has an open court facing the subject property.

*The conversion and any associated additions, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street or alley.*

The currently proposed conversion and renovation would not be a substantial visual intrusion on the character, scale and pattern of houses along the street or alley; the future addition of two flats (not part of this application) would infill a vacant portion of a lot.

**i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?**

The revised proposal essentially satisfies the intent and purpose of the Regulations and Map, including the area requirements anticipated for conversions of residential structures within the R-4 District. The existing structure would be renovated and made livable for up to three families). The current proposal is an improvement on the previous submission as its design is one of three similar dwellings that would be constructed on the newly created lots, representative of a row of similar building types, rather than the appearance of an apartment structure, which is not characteristic of the R-4 District.

**ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?**

The proposal should not adversely affect the availability of light and air to the neighboring properties. A negative impact on privacy is not anticipated beyond what currently exists.

**VI. COMMENTS OF OTHER DISTRICT AGENCIES**

The District Department of Transportation submitted its comments of no objection to the proposal in its report to the Board dated February 18, 2016 (Exhibit 28).

**VII. COMMUNITY COMMENTS**

OP met with the ANC at the ANC's request to explain the nature of the relief requested. The applicant met with the ANC at their regularly scheduled meeting on February 29, 2016 and the applicant revised the original submittal based on OP's and the community's concerns regarding the apartment character of the original proposal. An ANC report is expected to be submitted under separate cover.

Attachment: Location Map



**Location and Zoning Map**